CABINET

MINUTES of the meeting held on Tuesday, 17 July 2012 commencing at 2.00 pm and finishing at 4.28 pm

Present:

Voting Members:	Councillor Ian Hudspeth – in the Chair
	Councillor Arash Fatemian Councillor Nick Carter Councillor Louise Chapman Councillor Melinda Tilley Councillor Kieron Mallon Councillor Hilary Hibbert-Biles Councillor Mrs J. Heathcoat
Other Members in Attendance:	Councillor M Altaf-Khan (Agenda Items 7 & 8) Councillor Janet Godden (Agenda Item 12) Councillor Charles Mathew (Agenda Item 16) Councillor Zoe Patrick (Agenda Items 6 & 16) Councillor Charles Shouler (Agenda Item 14) Councillor Michael Waine (agenda item 8 & 14)

Officers:

Whole of meeting:	Joanna Simons, Chief Executive; Sue Whitehead (Chief Executive's Office)

Part of Meeting:

Item	Name
6	Dave Etheridge, Chief Fire Officer; Colin Thomas, Deputy Chief Fire Officer
7	Jim Leivers, Director for Children's Services; Frances Craven, Deputy Director – Education & Early Intervention
8	Jim Leivers, Director for Children's Services; Frances Craven, Deputy Director – Education & Early Intervention
9	Hannah Doney (Corporate Finance)
10	Kathy Wilcox (Corporate Finance)
11	Huw Jones, Director for Environment, Economy & Customer Services
12	Jim Leivers, Director for Children's Services; Jonathan McWilliam, Director for Public Health
13	Barbara Chillman (Children, Young People & Families)
14	Barbara Chillman (Children, Young People & Families)
15	Barbara Chillman (Children, Young People & Families)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting, and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

79/12 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillor Rodney Rose.

80/12 DECLARATIONS OF INTEREST

(Agenda Item. 2)

Councillor Nick Carter commented that in respect of Item 7 although he had no disclosable pecuniary interest he would abstain from voting as the company his wife worked for was mentioned briefly in the report.

81/12 MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 19 June 2012 were approved and signed.

82/12 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Janet Godden **had** given notice of the following question to Councillor Rose:

"What has been the total cost of the work to realign the junction at the A34 slip road / West Way / North Hinksey Lane? If section 106 monies have been used, what alternative eligible local schemes could these have been used for?"

Councillor Rose replied:

Question

- What has been the total cost of the work to realign the junction at the A34 slip road / West Way / North Hinksey Lane?

Answer

The capital budget for the scheme is £248,232. The scheme has just finished on site and so the final (outturn) cost of the scheme is not yet available as some bills have yet to be received.

Question

- If section 106 monies have been used, what alternative eligible local schemes could these have been used for?'

Answer

The scheme is being fully funded from S106 developer contributions. The proposed funding of the scheme this year will come from a variety of S106 funds comprising around (because the actual cost is not yet available one can't be specific)

- £198k from development sites within North Hinksey, Botley and along Cumnor Hill and
- £50k from development sites within Oxford.

Because the various S106 agreements (the funds from which are to be put towards the cost of the West Way improvements) are not tying contributions towards specific named/identified schemes it is not practical to identify a specific list of alternative schemes to which the contributions could be used.

But any such alternative eligible schemes would need to fall within the scope of:

- Transport infrastructure between Botley and Oxford City Centre and/or
- Measures/aims within the Oxford Transport Strategy and/or
- Traffic management/highway safety measures in the vicinity of such as North Hinksey Lane

Councillor Zoe Patrick had given notice of the following question to Councillor Carter:

"Why did the Council contract out the school admissions work to Capita who subsequently failed to provide a good service to the residents of Oxfordshire who did not receive responses to their emails? This was made worse by subsequent telephone calls to the council not being answered. Is there not sufficient capacity in the service?"

Councillor Carter replied:

"I should start by clarifying the precise nature of our connection with Capita in relation to the admissions issues you raise. No admissions functions have been contracted out but the directorate does use Capita software for the administration of school admissions (which assists in the process of logging, processing, allocating and, if it works as it should, advising parents of places allocated).

The regrettable failure of the Capita system earlier this year to send out automatic confirmation e-mails to about 6,500 families compounded the challenge that was already being faced as result of a significantly increased number of children in the cohort (an increase of over 500 from last year) in parallel with a much smaller number of surplus places. There has been a steady increase in the number of applications to be processed over the last 5 years (rising from 12117 in 2007 to 14131 in 20110) but during this time the size of the admissions team has remained the same

The Directorate recognises that the service provided for customers this year has not been good enough and is taking steps to remedy the position. Two additional posts will be recruited to the Customer Services Centre (CSC) to provide a better 'front line' response service to parents when the CSC will be able to assist with aspects of the Admissions function later this year."

Supplementary: Councillor Patrick referred to problems with highways enquiries and Councillor Carter undertook to investigate, involving Councillor Rose and to respond to Councillor Patrick.

Councillor Jenny Hannaby had given notice of the following question to Councillor Fatemian:

"At the Council meeting on 10 July during consideration of the Cabinet report to Council a question was put to Deputy Leader Councillor Rodney Rose by Councillor Alan Armitage regarding the Corporate Plan Performance and Risk Management report for the Fourth Quarter 2011/12.

The report indicates some areas are not meeting their targets. Councillor Armitage asked if Councillor Rose was confident that all targets will be met. Councillor Rose answered Yes without further comment.

My question to Cabinet Member for Adult Services and Public Health Councillor Arash Fatemian is can he confirm he agrees with this statement, and if so, is he confident that the delayed transfer of care target will also be met."

Councillor Fatemian replied:

"Delayed Transfers of Care have steadily reduced between April and June 2012. The figures for the end of June were 148, compared to 182 at the end of March. As reported at the Health and Overview Scrutiny Committee targets have been agreed across the local health and social care system to reduce delays to

- 146 delays at July 1st
- 103 by September 30th
- 72 by January 10th, 2013
- Monthly average of 72 by March 31st 2013

These targets should ensure Oxfordshire is no longer in the bottom quartile of authorities.
We are currently 1% off hitting the first target which is well within the fluctuations that happen from week to week. This means that it was quite reasonable for Councillor Rose to respond as he did."

Supplementary: Councillor Hannaby sought assurances that patients released would receive care at home or care in a nursing home as

appropriate. Councillor Fatemian gave an assurance that no-one would be fast tracked unless appropriate care packages were in place.

83/12 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following requests to address the meeting had been agreed

Item 6 – Councillor Dr Paul Bryant, Royal Berkshire Fire Authority;
Councillor Zoe Patrick, Opposition Leader;
Rachel Dobson,

Item 7 – Councillor M Altaf-Khan, Shadow Cabinet Member for Education;

Item 8 – Councillor Michael Waine, Chairman of Children's Services Scrutiny Committee;
Councillor M Altaf-Khan, Shadow Cabinet Member for Education;

Item 12 – Councillor Janet Godden, Shadow Cabinet Member for Children & the Voluntary Sector;

Item 13 - Dr Annabel Kay, Head at The Warriner School;

Item 14 – Councillor Charles Shouler, speaking as a local member;
Councillor Michael Waine, speaking as a local member;
Damian Booth Head at St Edburg's School;

Item 16 - Councillor Zoe Patrick, Opposition Leader;
Councillor Charles Mathew, speaking as a local member.

Councillor Michael Waine, speaking as a local Councillor spoke in support of the proposal under Agenda Item 14 for the permanent expansion of St Edburg's CE (A) Primary School, Bicester and the alteration to its lower age range with effect from 1 September 2014.

84/12 FUTURE ARRANGEMENTS FOR CALL RECEIPT, MOBILISING & INCIDENT MANAGEMENT FOR OXFORDSHIRE COUNTY COUNCIL FIRE & RESCUE SERVICE

(Agenda Item. 6)

Cabinet considered a report seeking approval to The Thames Valley Fire Control Service (TVFCS) programme which would deliver a single joint control room with a fully functional secondary control room and "remote buddy " Fire and Rescue Service.

Councillor Dr Paul Bryant, Royal Berkshire Fire Authority and Chairman of the Joint Sponsoring Group spoke in support of the proposals commenting that money would be saved and facilities improved by combining services. He paid tribute to the work of the members and officers involved in the Sponsoring Group.

Councillor Zoe Patrick, Opposition Leader, gave personal thanks to Dave Etheridge for providing a thorough briefing. She commented that the report was comprehensive and that as a Group the Liberal Democrats were

pleased that the national project had been dropped. Councillor Patrick highlighted areas of concern including that the financial consequences and governance of the proposed Programme had to be worthwhile. It should retain and exploit local knowledge and she hoped that this would be helped by having the secondary control room in Kidlington. She felt that the consultation could have been handled better and queried the choice of location for the public meetings. Going forward the Programme needed to be handled sensitively with staff receiving guidance and support. They would be essential to efficient working during the transition and in the future.

Rachel Dobson, Fire Brigade Union, expressed grave concerns that a single joint control room would be able to cope. She opposed the proposals that would affect operational support and impacted on work vital to the efficient running of the service. Ms Dobson highlighted the nature of the role they undertook which included, round the clock responses to: crewing problems, resource management, responding to large public events, emergency road closures and severe weather. She stated that the FBU wished to see a report commissioned to identify the operational support work and that the decision to proceed be deferred until that report was available.

Responding to a question about whether they viewed that the management of resources would be less possible from the new centre, Ms Dobson replied that Berkshire did not cover retained stations as the Oxfordshire Centre did. There would not be enough staff on duty in the joint control room to deal with the fluid crewing situation. There would be half the staff doing twice the duty.

Councillor Judith Heathcoat, Cabinet Member for Safer and Stronger Communities introduced the report, stressing that it was the result of a public and transparent process. She outlined the reasons for recommending that the Programme be agreed and highlighted that the proposed location of the joint control room had been chosen on completely objective grounds. Staff from both authorities would have the same opportunity to apply for jobs in the new control room. She added that wherever possible compulsory redundancy would be avoided and that the direction they were taking was not unique but was a path being followed by others.
Dave Etheridge, Chief Fire Officer, added that improvement for the public was the primary driver. The programme would deliver increased resilience. With regard to workload they had been successful in dramatically reducing the number of incidents and he was confident this would continue. The numbers of incidents was not the whole story as the FBU did not recognise the impact that use of new technology would make. In terms of local knowledge the combined area was still less than some other single services. The technology would identify where calls were coming from.

Mr Etheridge recognised that with non incident related activity there would be significant work needed to align work practices. This was referred to in paragraph 21 and formed a major part of the project.

He confirmed that there would be financial benefits to be gained alongside the prime mover of improved service/resilience.

Mr Etheridge paid tribute and gave thanks to the control room staff who had faced a long period of uncertainty. The Programme would be in place by 2014 and they were committed to enabling staff to compete on a completely level playing field for the jobs available and to providing training opportunities.

During lengthy debate Cabinet:

- thanked local Brigades, including Chipping Norton and referred to the importance of not losing retained staff;
- explored with officers the work needed to ensure operational alignment of work practices;
- recognised that there would be staff across both services that will need support. OCC was a big organisation and an exemplary employer.
- received information on the role of the secondary control room and on the difference between voice and data calls;
- queried what would happen if response times were to drop and stressed the importance of monitoring.

Cabinet Members asked that regular monitoring reports be submitted and the Chief Fire Officer confirmed that regular reports would be submitted to the Safer & Stronger Communities Scrutiny Committee

RESOLVED:

Subject to:-

1. the decision of the Royal Berkshire Fire Authority to approve the relocation of the Royal Berkshire Fire and Rescue Service HQ site from Dee Road, Reading, to Calcot, West Berkshire, and
2. the approval of Royal Berkshire Fire Authority's subsequent decision to proceed with the TVFCS Programme,

to:-

(a) Approve the progression of the programme to create a joint control room with Royal Berkshire Fire Authority
(b) Confirm the future location of the primary control room as Calcot, Berkshire
(c) Confirm the future location of the secondary control room as Kidlington, Oxfordshire
(d) Approve the apportionment methodology
(e) Approve the creation of the a Joint Committee and the underpinning legal arrangements
(f) Delegate to the Chief Fire Officer:-
    i. authority to sign the legally binding programme partnership agreement which will include the decision of the lead authority for employment matters

ii. authority to sign the legally binding steady state partnership agreement
iii. the identification of and arrangements with the remote buddy FRS

(g) Require the Programme Sponsoring Group to ensure the human resources strategy maximises the opportunities to support control staff throughout the programme

(h) Require the Chief Fire Officer to ensure business continuity plans are in place to maintain the continued effectiveness of the respective control room up to the point of transition into the single joint control

(i) Require the Chief Fire Officer to support the appointed Members' of the TVFCS Joint Committee to provide strategic direction and track benefit realisation.

85/12 ACADEMIES STRATEGY - IMPROVING EDUCATIONAL PROVISION IN OXFORDSHIRE THROUGH THE DEVELOPMENT OF ACADEMIES

(Agenda Item. 7)

Cabinet considered a report seeking approval to a policy statement regarding Academies, key principles and the project approach needed to implement the policy and principles.

Councillor M. Altaf-Khan, Shadow Cabinet Member for Education stated that he had previously expressed his concerns around this issue. He was grateful to the Cabinet Member for Education for being willing to discuss the matter with him. He welcomed the seminar that had been held but commented that there had been insufficient time for questions and that some members would have been interested to hear how multi-Trust academies would work. He added that the commercial market place may be cheap but could be unreliable. There was a dilemma there for schools and his local school was not very clear about how services will move forward. Responding to a comment from Councillor Mallon, Councillor Altaf-Khan stated that services could be better but what was needed was a clear plan if services were not better.

Councillor Melinda Tilley, Cabinet Member for Education, introduced the report referring to the fast moving nature of the process. She stressed that the Government had made it clear that they expect all schools will become academies and it was therefore up to the Council to provide information. This would enable schools and particularly primary schools that were somewhat nervous of the process to make a decision based on knowledge. She was willing to consider holding more seminars if needed.

Responding to a comment from Councillor Hilary Hibbert-Biles, the Cabinet Member for Education confirmed that the Council had always said it would protect rural schools and in this context the best way to ensure that was through collaborative Trusts.

RESOLVED: to:

(a) note the progress made since its last report in February 2012.

(b) approve the Policy in relation to Academies at Annex 1, and in particular the headline position which is:

- The County Council wishes to support all schools to become academies. The Council recognises that this is a process and some schools will be at different stages in taking this step.
- The Council wishes to encourage Governing Bodies and the leadership of the school (Headteachers and leadership teams) to consider how they might become an academy as part of a larger group of schools. This is to ensure that schools are not isolated and are mutually supportive of each other in raising attainment standards.
- The Council will ensure that support services for schools continue to be available, whether they are provided in-house or through the commercial market place. We will not seek to retain them in-house unless there is strategic value in doing so, but will work with schools to ensure they have access to services.

86/12 EDUCATION STRATEGY

(Agenda Item. 8)

The Education Strategy is designed to support a transformation shift in standards across the county's schools. Cabinet considered a report that provided details on the progress that has been made on the Education Strategy since Children's Services Scrutiny Committee considered the draft strategy in February 2012, together with information on the key strategic strands and sought approval to the document 'Strategy for Change - Improving Educational Outcomes in Oxfordshire.' Cabinet also considered a note on the outcomes from a discussion of the document at the Children's Services Scrutiny Committee on 12 July 2012.

Councillor Michael Waine, Chairmen of the Children's Services Scrutiny Committee welcomed the alignment of the 2 meetings so that he could speak to cabinet but expressed the unhappiness of the Committee that the document did not get to them until the day before their meeting. Communication was the key to the whole strategy. Buy in from the Schools and ownership from within a school was essential. There was a danger of presumption in any data led exercise and the Board must have the power of challenge and intervention. There was a need for more than an annual report. The targets in the draft were aspirational in the extreme and were now realistic and the Committee would continue to review.

Councillor M. Altaf-Khan noted that the City Schools brought the averages down and felt that the Strategy did not address the issue of English as a second language and how these pupils would be targeted. In response to

questions Councillor Altaf-Kan indicated that he would like to see a targeted campaign aimed at helping those pupils with English as a second language. Councillor Hudspeth replied that they were working with the City Council on a range of wider issues that affected attainment such as housing.

During discussion the respective roles of Headteachers and School Governors and the Council were highlighted. In particular the Local Authority had a role in respect of vulnerable learners.

RESOLVED: to agree the Strategy for Change – Improving Educational Outcomes in Oxfordshire.

87/12 TREASURY MANAGEMENT 2011/12 OUTTURN

(Agenda Item. 9)

Cabinet considered a report that set out the Treasury Management activity undertaken in the financial year 2011/12 in compliance with the CIPFA Code of Practice. The report included Debt and Investment activity, Prudential Indicator Outturn, changes in Strategy, and interest receivable and payable for the financial year.

RESOLVED: to note the report, and to **RECOMMEND** Council to note the Council's Treasury Management Activity in 2011/12.

88/12 2012/13 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - MAY 2012

(Agenda Item. 10)

Cabinet considered a report that focussed on the delivery of the Directorate Business Strategies which were agreed as part of the Service and Resource Planning Process for 2012/13 – 2016/17. It included projections for revenue, reserves and balances as at the end of May 2012 and amendments to the 2011/12 Statement of Accounts that changed the Revenue and Capital Outturn Report considered by Cabinet on 19 June 2012. The report also included Capital monitoring and the Capital Programme Update.

RESOLVED: to:

(a) note the report;
(b) approve the virement requests set out in Annex 2a;
(c) note the updated Treasury Management lending list at Annex 7;
(d) approve the updated Capital Programme at Annex 9 and the associated changes to the programme in Annex 8c.
(e) note the updated position for the 2011/12 revenue and capital outturn and the updated position on balances and reserves.

89/12 WITNEY THE WAY FORWARD

(Agenda Item. 11)

Cabinet considered a report that set out the proposed actions following the Secretary of State's decision not to confirm the Compulsory Purchase Order and Side Roads Order for the Cogges Link Road following the Public Inquiry.

Huw Jones, Director for Environment, Economy & Customer Services stressed that he would be talking to key interest groups. He referred to a letter he had received on behalf of the developers setting out their position on a number of matters and indicating that the Council was seeking Counsel's advice.

During discussion Cabinet expressed disappointment over the position taken by the developers. Cabinet emphasised the need to move forward working with all parties to improve traffic conditions for all

RESOLVED: to:

(a) note the decision not to pursue the extant planning permission in light of the outcome of the Public Inquiry into the Compulsory Purchase Order and Side Roads Orders;
(b) affirm its commitment to work in partnership with West Oxfordshire District Council to develop and deliver an affordable alternative transport strategy for Witney; and
(c) instruct officers to seek to re-negotiate developer funding agreements that have an imminent longstop date so any monies held can be used to deliver transport infrastructure improvements in Witney.

90/12 DEVELOPING THE THRIVING COMMUNITIES AGENDA

(Agenda Item. 12)

Cabinet considered a report that set out the proposed direction of Oxfordshire's Thriving Families programme in response to the Government's Troubled Families initiative.

Councillor Janet Godden, Shadow Cabinet Member for Children & the Voluntary Sector referred to the negative position nationally and the positive efforts of the Council locally to maximise resources. It was also positive that the Council had gained the status of a Learning Laboratory. She was pleased that the Council had abandoned the Government's title. She was concerned that locally we had missed an opportunity with regard to discretionary criteria and was concerned also that the programme was for payments by results when local people needed the help for the long haul to achieve positive results. The programme was for 3 years and she queried what would happen at the end of that period.

Councillor Chapman, Cabinet Member for Children & the Voluntary Sector in moving the recommendations stressed that the programme was excellent and the intention was to embed it in the way that the Council worked. It

would build on the Family Intervention Service and she was confident that during the 3 years they would be able to make a difference to breaking the cycle of deprivation. Wider Oxfordshire would benefit and not just Oxford and Banbury.

During discussion Cabinet welcomed the approach and stressed their commitment to all families in Oxfordshire in need of help.

RESOLVED: to note and approve the Council's response to the Government's Troubled Families initiative

91/12 ALTERATION OF AGE RANGE AND ESTABLISHMENT OF SIXTH FORM AT THE WARRINER SCHOOL, BLOXHAM

(Agenda Item. 13)

Cabinet considered a report seeking approval to the extension of the age range at The Warriner School, Bloxham to include post-16 provision, and agreed the Stage 1 (Outline Business Case) project delivery budget of £32K to enable the capital project to proceed to Full Business Case.

Dr Annabel Kay, Head teacher at Warriner School spoke in support of the proposal.

RESOLVED: to approve the extension of the age range at The Warriner School, Bloxham to include post-16 provision, and to agree the Stage 1 (Outline Business Case) project delivery budget of £32K to enable the capital project to proceed to Full Business Case.

N.B. As set out under Rule 17(a) of the Scrutiny Procedure Rules, this decision was exempt from Call-In as it was deemed urgent and any delay would have seriously prejudiced the Council's interests, in that the Cabinet's role would be negated by referral to the Schools' Adjudicator if the decision was not taken within two months of the end of the Statutory Notice, in this case being 30 May 2012.

92/12 ST EDBURGS CE AIDED PRIMARY SCHOOL

(Agenda Item. 14)

Cabinet considered a report seeking approval to the permanent expansion of St Edburg's CE (A) Primary School, Bicester and the alteration to its lower age range with effect from 1 September 2014.

Councillor Shouler, as a local Councillor and Mr Damian Booth, Head at St Edburg's School spoke in support of the proposal.

RESOLVED: to approve the permanent expansion of St Edburg's CE (A) Primary School, Bicester and the alteration to its lower age range with effect from 1 September 2014.

N.B. As set out under Rule 17(a) of the Scrutiny Procedure Rules, this decision was exempt from Call-In as it was deemed urgent and any delay

would have seriously prejudiced the Council's interests, in that the Cabinet's role would be negated by referral to the Schools' Adjudicator if the decision was not taken within two months of the end of the Statutory Notice, in this case being 30 May 2012.

..... 93/12 ST EBBE'S CE (A) PRIMARY SCHOOL, OXFORD EXPANSION TO 2FE

(Agenda Item. 15)

Cabinet considered a report outlining the governing body's wish to publish a statutory notice for the expansion of St Ebbe's CE (A) Primary School, Oxford to increase the school admission number (at F1 entry) from 45 to 60.

RESOLVED: to support the governing body's wish to publish a statutory notice for the expansion of St Ebbe's CE (A) Primary School, Oxford.

94/12 APPOINTMENTS 2012/13

(Agenda Item. 16)

Cabinet considered member appointments to a variety of bodies which in different ways supported the discharge of the Council's executive functions.

Councillor Patrick, Opposition Leader, commented that Councillor Godden was the main representative for the Liberal Democrat Group on the Corporate Parenting Panel with Councillor Fooks attending with the permission of the Chairman. She added that the Oxfordshire County Council South Africa Link Group was still active and met regularly. She continued to monitor the reports of the various Member Champions.

Councillor Mathew indicated that his query had been dealt with outside the meeting.

RESOLVED: to agree appointments as set out in the attached Annex to these minutes.

95/12 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 17)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet together with changes and additions set out in the schedule of addenda.

RESOLVED: to note the items currently identified for forthcoming meetings.

..... in the Chair

Date of signing